IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:16-CV-18-D

FREDRIC N. ESHELMAN,)	
Plaintiff,)	
v.)	ORDER
PUMA BIOTECHNOLOGY, INC.,	{	
Defendant.)	

The court has considered Puma Biotechnology, Inc.'s ("defendant") emergency motion for a protective order to stay Magistrate Judge Jones's January 8, 2018 order [D.E. 249], its memorandum in support [D.E. 250], plaintiff's opposition [D.E. 263], and the entire record. The motion [D.E. 249] lacks merit and is DENIED. See [D.E. 263] 3-10.

The court also has considered defendant's appeal of Magistrate Judge Jones's decision to reopen the deposition of Alan Auerbach and Frank Zavrl [D.E. 252], its memorandum in support [D.E. 254], plaintiff's opposition [D.E. 263], and the entire record. The appeal lacks merit and is DENIED. See id. This court AFFIRMS the decision of Magistrate Judge Jones to reopen the depositions.

SO ORDERED. This 18 day of September 2018.

JAMES C. DEVER III Chief United States District Judge